THE HON'BLE SRI JUSTICE GODA RAGHURAM.

WRIT PETITON NO.24534 OF 2002

DATE: 06-12-2005

Between:

Y.Brahmachary, s/o Late Kistaiah,

aged 49 years, R/o 1-9-1113/20/A,

Dayanandanagar, Vidya Nagar,

Hyderabad – 500 040.

… Petitioners

A n d

Presiding Officer, Labour Court –I,

Andhra Pradesh, Hyderabad – 500 001

and two others

…. Respondents

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WRIT PETITON NO. 24534 OF 2002

ORAL ORDER:

Heard the learned counsel for the petitioner. There is no representation on behalf of the respondents.

Petitioner was terminated from service by the second respondent, a Cooperative Credit Society, which it is stated, has since been wound up. The petitioner was terminated by the Person-in-Charge of the management of the second respondent, who is substantively an employee of the third respondent. As against the termination, the petitioner preferred a claim before the Labour Court under Section 2(A) 2 of the Industrial Disputes Act 1947 impleading the

second respondent alone. An Award was passed in I.D.No.43 of 1998 directing reinstatement of the petitioner with backwages. Even by the time the Award was passed, the second respondent ceased to be in existence. Unable to secure the benefits under the Award, the petitioner filed E.P.No.30 of 1998 impleading the second respondent. As the second respondent ceased to be in existence, the petitioner filed an unregistered Execution Application No.2298 of 2002 seeking impleading of the third respondent as a party to the execution petition. The singular claim in support of this application is that the officer of the third respondent – Bank was the person-in-charge of the second respondent at a time when the second respondent passed orders terminating the petitioner from service.

By the order dated 30-07-2002, the Labour Court, Hyderabad rejected U.R. Execution Application No.2298 of 2002 on the ground that the third respondent is not a necessary or proper party and is not liable to be impleaded as the party to E.P.No.30 of 1998.

In view of the facts stated above, there is no discernable infirmity in the order impugned. Writ petition is misconceived, beseeches rejection and is accordingly dismissed. In the circumstances, however, without costs.

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06-12-2005.

Lrkm.